

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: 17 December 2004 ( 17.12.2004)
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPL. NO. (if known): Not Yet Assigned: 107518412
INTERNATIONAL APPLICATION NO.: PCT/EP2003/005985	INTERNATIONAL FILING DATE: 06 June 2003 (06.06.2003)	PRIORITY DATE CLAIMED: 20 June 2002 (20.06.2002) DE
TITLE OF INVENTION: PLANE OR MULTILAYERED FOODSTUFF PACKAGE CASING OR FILM		
APPLICANT(S) FOR DO/EO/US: SCHIEF, Hermann-Josef; SCHIFFMANN, Jürgen Michael		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This express request to begin national examination procedures (35 USC 371(f)) The submission must include items(5), (6), (9) and (21) indicated below.</li> <li><input checked="" type="checkbox"/> The US has been elected (Article 31)</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):             <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li><input checked="" type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input checked="" type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</b></p> <ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</li> <li><input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</li> <li><input checked="" type="checkbox"/> Other items or information: TRANSMITTAL FORM UNDER 371; FEE CALCULATION; INTERNATIONAL PUBLICATION WO 2004/000026 A2 WITH INTERNATIONAL PUBLICATION DATE 31 DECEMBER 2003 (31.12.2003) WITH SEARCH REPORT (IN GERMAN); ENGLISH TRANSLATION OF WO 2004/000026 A2 WHICH CONSISTS OF 14 PAGES INCLUDING 8 PAGES TEXTUAL SPECIFICATION, 5 PAGE OF 9 CLAIMS, 1 PAGE CONTAINING THE ABSTRACT; INTERNATIONAL PUBLICATION WO 2004/000026 A3 WITH INTERNATIONAL PUBLICATION DATE 31 DECEMBER 2003 (31.12.2003) WITH ARTICLE 19 AMENDMENTS (IN GERMAN AND ENGLISH); UNEXECUTED INVENTOR'S DECLARATION.</li> </ol>		

U.S. APPLICATION NO. (if known) not yet assigned <div style="font-size: 2em; font-weight: bold; margin-top: 10px;">107518412</div>	INTERNATIONAL APPLICATION NO. PCT/EP2003/005985	DATE: 17 December 2004 (17.12.2004)
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21. <u>x</u> The following fees are submitted:  <b>Basic National Fee (37 CFR 1.492(a)(1)-(5):</b> Basic National Stage Fee, Examination Fee, and Search Fee          <div style="text-align: center; font-weight: bold;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>	<u>CALCULATIONS</u>  \$1,000.00          <div style="font-weight: bold;">\$ 1,000.00</div>	<u>PTO USE ONLY</u>
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Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than ___ 20 ___ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$ 0.00	
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CLAIMS	NO. FILED	NO. EXTRA	RATE		
TOTAL	9 -20=	0	X \$ 50.00	\$	0.00
INDEPENDENT	2 - 3=	0	X \$ 200.00	\$	0.00
Multiple dependent claims(s) (if applicable)			+ \$300.00	\$	0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	<b>1,000.00</b>
Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				\$	.00
<b>SUBTOTAL =</b>				\$	<b>1,000.00</b>
Petition Under 37 CFR 1.137(b) with petition fee as set forth in § 1.17(m) small entity				\$	0.00
Processing fee of <b>\$130.00</b> for furnishing the English translation later than ___ 20 ___ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +				\$	0.00
<b>TOTAL NATIONAL FEE =</b>				\$	<b>1,000.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 per property +</b>				\$	0.00
<b>TOTAL FEES ENCLOSED =</b>				\$	<b>1,000.00</b>
				Amount to be: refunded      \$ charged        \$	

ATTORNEY'S DOCKET NO: 26463U

U.S. APPLICATION NO. (if known) not yet assigned <b>10/518412</b>	INTERNATIONAL APPLICATION NO. <b>PCT/EP2003/005985</b>	DATE: <b>17</b> December 2004 ( <b>17</b> 12.2004)
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a. ☒ One check in the amount of \$1,000.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 14-0112 in the amount of \$ \_\_\_\_\_ to cover the above fees. (A duplicate copy of this sheet is enclosed.)

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0112.

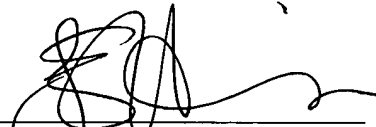
d. ☐ Fees are to be charged to a credit card \_\_\_\_ WARNING: Information on this form may become public \_\_\_\_ Credit Card Information should not be included on this form. \_\_\_\_ Provide credit card information and authorization on PTO-2038

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

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MAIL STOP PCT

Attorney Docket No. 26463U

10/518412

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SCHIEF et al.

International Application No. PCT/EP2003/005985

Serial No. NOT YET ASSIGNED

International Filing Date: 6 June 2003 (06.06.2003)

Filed: Dec 17, 2004For: **PLANE OR TUBULAR MULTILAYERED FOODSTUFF PACKAGE CASING OR FILM**TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

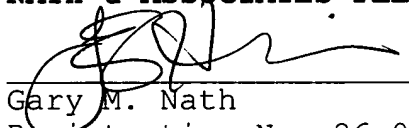
Sir:

Submitted herewith for filing in the U.S. Patent and  
Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Transmittal Letter To U.S. Designated/Elected Office  
(DO/EO/US) Concerning Filing under 35 U.S.C. 371
- (3) International Publication No: WO 2004/000026 A2;  
International Publication Date: 31 December 2003  
(31.12.2003) with Search Report (in German);
- (4) English Translation of WO 2004/000026 A2 which consists of  
14 pages including:
  - 8 pages Textual Specification;
  - 5 pages of 9 claims;
  - 1 page containing the abstract;
- (5) International Publication No: WO 2004/000026 A3;  
International Publication Date: 31 December 2003  
(31.12.2003) with Article 19 Amendments (in German and  
English);
- (6) **Preliminary Amendment to Article 19 Amendments with  
Attachment A;**
- (7) Unexecuted Declaration;
- (8) Check No. 22242 \$ 1,000.00 for Basic National Stage  
Fee, Examination Fee, and Search fee;
- (9) Postcard for early notification of serial number.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

By:

  
\_\_\_\_\_  
Gary M. Nath  
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Date: Dec. 17, 2004  
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